

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Sophia Bernhardt	Team: Team # 8	CCRB Case #: 200206672	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 10/03/2002 9:30 PM	Location of Incident: The corner of East 120th Street and 2nd Avenue		Precinct: 25	18 Mo. SOL 4/3/2004	EO SOL 4/3/2004
Date/Time CV Reported Thu, 10/03/2002 10:05 PM	CV Reported At: Precinct	How CV Reported: In-person	Date/Time Received at CCRB Tue, 10/08/2002 3:28 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. DT3 Timothy Heines	07673	904132	ND EH I
2. SGT Christop Lawrence	04104	893267	ND EH I

Officer(s)	Allegation	Investigator Recommendation
A.SGT Christop Lawrence	Abuse: Officer Lawrence Christop searched § 87(2)(b)	
B.DT3 Timothy Heines	Abuse: Officer Timothy Heines searched § 87(2)(b)	

Synopsis

At approximately 9:30 PM on October 3, 2002, § 87(2)(b) was walking home with his girlfriend, § 87(2)(b). The couple was walking east on 120th Street in Manhattan when two plainclothes officers approached the couple and asked § 87(2)(b) if he was carrying anything illegal. § 87(2)(b) replied that he was not. One of the officers, later identified as Sergeant Christopher Lawrence, handcuffed § 87(2)(b) and searched his pockets. The other officer, identified as Detective Timothy Heines, searched § 87(2)(b). The officers did not find any contraband, and removed § 87(2)(b)'s handcuffs. § 87(2)(b) asked the officers for their names and shield numbers, and the officers provided the information. § 87(2)(b) wrote down the names and shield numbers, and the couple left the scene.

§ 87(2)(b) went to the twenty-fifth precinct and filed a civilian complaint about half an hour after the incident occurred. He filled out a Civilian Complaint Report, which was reported to the CCRB by Sergeant Harmon several days later. The Civilian Complaint Report is not included in this file because it was lost in the shuffle at the twenty-fifth precinct and could not be located. Sergeant Harmon has since left on military leave, and so he could not be contacted to help locate the Civilian Complaint Report. However, according to the record that Sergeant Harmon reported to the CCRB, § 87(2)(b) provided the names and shield numbers of Sergeant Lawrence and Detective Heines. In subsequent statements to the CCRB, § 87(2)(b) stated that he believed Sergeant Lawrence was the officer who searched him while Detective Heines searched § 87(2)(b). Although it is possible that § 87(2)(b) reversed the roles of which officer searched which victim, § 87(2)(b) was certain that there were only two officers at the scene, and that each officer searched one person. For this reason, Detective Heines and Sergeant Lawrence have been identified as the subject officers and the allegations have been pled against them.

After several attempts to reach him, § 87(2)(b) was contacted on October 6, 2002. He stated that he would speak to his girlfriend and then call the CCRB to schedule interviews for them both. When a week passed and § 87(2)(b) did not call the CCRB, this investigator contacted him on October 14, 2002. At that time, § 87(2)(b) stated that he wanted to withdraw his complaint. He explained he did not wish to spend the time required to pursue the complaint. He stated that no one had pressured or coerced him to withdraw. This conversation was recorded on tape number 200206672, volume one, and has been reviewed by Investigative Manager Dianne Weisheit. § 87(2)(b) was not contacted because she could not be located. § 87(2)(b) stated that he did not have any contact information for § 87(2)(b). He also stated off the record that she is an illegal immigrant, and is afraid to take part in an investigation. It was explained to § 87(2)(b) that a CCRB investigation would not jeopardize § 87(2)(b)'s visa status, but he was adamant that she does not want any involvement with the CCRB. Attempts were made to locate § 87(2)(b) through Metrosearch, BADS and DMV searches, but these attempts were unsuccessful.

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: